



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 6104
Akira FUJISHIMA et al. : Attorney Docket No. 2003-0867
Serial No. 10/600,640 : Group Art Unit 1625
Filed June 23, 2003 : Examiner Patricia L. Morris

CRYSTALS OF BENZIMIDAZOLE
COMPOUNDS

TERMINAL DISCLAIMER UNDER 37 CFR 1.321

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

11/03/2004 D01LLIA4 00000002 230975 10600640
Sale Ref: 00000002 D4 The owner, TAKEDA CHEMICAL INDUSTRIES, LTD., of 100% interest in the instant
01 FC:1814 110.00 D4 application, hereby disclaims, except as provided below, the terminal part of the statutory term of
any patent granted on the instant application, which would extend beyond the expiration date of
the full statutory term defined in 35 USC 154 to 156 and 173, as shortened by any terminal
disclaimer, of prior Patent No. 6,462,058, issued October 8, 2002. The owner hereby agrees that
any patent so granted on the instant application shall be enforceable only for and during such
period that it and the prior patent are commonly owned. This agreement runs with any patent
granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any
patent granted on the instant application that would extend to the expiration date of the full
statutory term as defined in 35 USC 154 to 156 and 173 of the prior patent, as presently
shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a
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cancelled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is empowered to act on behalf of the organization.

The undersigned is an attorney of record.

March 22, 2004

By: Warren Cheek Jr.
Warren M. Cheek, Jr., Reg. No. 33,367

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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